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CASE LB/G-32992A

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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August 31, 2005
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

JEVSEVAR ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/08308

FILED: 28 JULY 2003

U.S. APPLICATION NO: 10/522,827

35 USC §371 DATE: 31 JANUARY 2005

FOR: SYNTHETIC GENE CODING FOR HUMAN GRANULOCYTE-COLONY STIMULATING FACTOR FOR THE EXPRESSION IN *E. coli*

MS: PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Sir:

The Notice to Comply With Requirements For Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures mailed June 28, 2005 (a copy of which is enclosed) has a shortened statutory time set to expire on August 28, 2005.

A one-month extension is hereby requested pursuant to 37 CFR §1.136(a). Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of $120 for payment of the extension fee.

In response, applicants now submit a nucleotide and/or amino acid sequence submission, including a computer readable copy, a paper copy and a Statement Verifying Identity of Above Copies.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 19-0134 in the name of Novartis.

A duplicate copy of this letter is provided for charging purposes.

Respectfully submitted,

John Thallemer

John D. Thallemer
Attorney for Applicants
Reg. No. 34,940

Novartis
Corporate Intellectual Property
One Health Plaza, Building 104
East Hanover, NJ 07936-1080
(862) 778-7945

Date: AUG 31 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,827	Simona Jevsevar	LB/G-32992A/LEK

INTERNATIONAL APPLICATION NO.	
PCT/EP03/08308	
I.A. FILING DATE	PRIORITY DATE
07/28/2003	07/31/2002

001095
NOVARTIS
CORPORATE INTELLECTUAL PROPERTY
ONE HEALTH PLAZA 104/3
EAST HANOVER, NJ 07936-1080

JUL 2005
RECEIVED
Linda C. Rothwell
Patent

CONFIRMATION NO. 2050

371 FORMALITIES LETTER

OC0000000016389334

JDT

Date Mailed: 06/28/2005

NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

SEQUENCE LISTING REQUIRED

DOCKETED FOR: Aug. 28 2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAYA L LEWIS BALTIMORE

Telephone: (703) 308-9140 EXT 202

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,827	PCT/EP03/08308	LB/G-32992A/LEK

FORM PCT/DO/EO/922 (371 Formalities Notice)